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General Assembly
Security Council

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General Assembly
Fifty-ninth session
Agenda item 29
Question of Cyprus

Security Council
Fifty-ninth year

Letter dated 14 October 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 4 October 2004, addressed to you by His Excellency Mr. Reşat Çağlar, Representative of the Turkish Republic of Northern Cyprus (see annex), forwarding the letter of His Excellency Mr. Mehmet Ali Talat, Prime Minister of the Turkish Republic of Northern Cyprus.

I should be grateful if the present letter could be circulated as a document of the General Assembly under agenda item 29, and of the Security Council.

(*Signed*) Altay **Cengizer**
Minister Counsellor
Deputy Permanent Representative

04-55678 (E) 221004

Annex to the letter dated 14 October 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General

I have the honour to convey herewith a copy of the letter dated 4 October 2004 addressed to you by H.E. Mehmet Ali Talat, Prime Minister of the Turkish Republic of Northern Cyprus (see enclosure).

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda item 29, and of the Security Council.

(*Signed*) Reşat **Çağlar**
Representative

Enclosure

I have the honour to refer to the statement made by the Greek Cypriot leader, Mr. Tassos Papadopoulos, at the fifty-ninth session of the General Assembly in New York on 23 September 2004.

I wish to stress, at the outset, that as the Turkish Cypriot side we believe in the reunification of the island, and reiterate, once again, our firm conviction to find a just and lasting federal solution in Cyprus based on bizonality and political equality.

It is most disappointing to witness the Greek Cypriot leader's portrayal of the Cyprus question as a problem of "invasion and occupation" and "plea to Turkey to join" them in seeking "mutually beneficial solutions to the various aspects that compose the Cyprus problem" in an attempt to hide the fact that not Turkey and Turkish Cypriots but Mr. Papadopoulos himself and his administration have been the main culprits behind the collapse of Your Excellency's latest initiative. Moreover, the ramifications of this approach are clear and confirm our serious concerns that the Greek Cypriot leadership not only plan to continue with the pretence that they represent the whole of Cyprus but also refuse to acknowledge that the island of Cyprus is the common home of the Turkish Cypriots and Greek Cypriots alike who should share and have an equal say over its destiny.

The refusal of the Greek Cypriot leadership to acknowledge the foregoing and accept its side's responsibility in the destruction of the Republic of Cyprus in 1963 which ultimately segregated the two peoples and finally led to the present division of the island, does not help our objective to create the necessary atmosphere of mutual trust and confidence in which the two peoples of the island can share a common future. We are well aware of the fact that a peaceful future for the younger generations cannot be held prisoner to the tragic experiences of the past. It was in this spirit that your comprehensive settlement plan was approved by the Turkish Cypriot people by a 65 per cent majority demonstrating their strong will for a lasting settlement based on bizonality and political equality. On the other hand, 75 per cent of the Greek Cypriot people rejected the plan as called for and were misled by the Greek Cypriot leader, Mr. Papadopoulos, in his address on 7 April 2004, when he demanded a "resounding no to the Annan plan" from the Greek Cypriots.

In defence of this rejectionist attitude, Mr. Papadopoulos states that the verdict of the Greek Cypriot people on a proposed solution should be respected as "the people are in the best position to judge what is suitable for them". However, the Greek Cypriot leader conveniently overlooks his prime role in conjunction with a majority of the Greek Cypriot leadership in shaping the Greek Cypriot people's wrong perception of your plan as well as the deceptive assumption that the Cyprus issue needs be solved to their full satisfaction. Indeed, in his above-mentioned address the Greek Cypriot leader called upon his people to reject the United Nations plan in order to "achieve their joint strategic goal" which he described as "politically upgrading and shielding their internationally recognized state, the Republic of Cyprus". Moreover, Mr. Papadopoulos found no objection to assuring the Greek Cypriots that this would not be a final initiative but offered them the opportunity to collect the fruits of strengthened political weight acquired by European Union membership and exploit Turkey's accession efforts as well as the continuing international interest to their full advantage. This negative and harmful approach by the Greek Cypriot leadership caused widespread reaction from the

international community, including Your Excellency and high-level European Union officials.

The Greek Cypriot leadership launched a campaign following the referendums in order to explain why the Greek Cypriots voted against the United Nations plan. The rationale and arguments used in that explanation, which were also cited by Mr. Papadopoulos in his address to the General Assembly, were regarded as unfounded by the international community. In fact, the expressed views of the international community at large suffice to demonstrate that all but the Greek Cypriot side is in agreement that the United Nations plan offered carefully balanced and workable solutions to the issues and complaints raised by the Greek Cypriot leader in his speech.

Mr. Papadopoulos states that the withdrawal of troops and "settlers", the underlying structures of a functioning economy, the functionality and workability of the new state of affairs, the just resolution of land and property issues and the respect of the right of return of refugees are essential parameters for a solution for the Greek Cypriots and, thus, implies that the United Nations plan did not address adequately and effectively any of these issues. Nothing can be further from the truth.

It hardly needs to be stressed that the plan provided the Greek Cypriots an invaluable opportunity to minimize the Turkish military presence to a symbolic number on the island, reduce the number of so-called "Turkish settlers" to an agreed level, and bring about the return of a serious percentage of land and restoration of a considerable amount of property to Greek Cypriots which would serve their social and economic interests.

The former Special Representative for Cyprus of the United Kingdom of Great Britain and Northern Ireland and the European Union, Lord David Hannay, also concluded that by taking the rejectionist baton the Greek Cypriot administration and political parties ensured that "9 per cent of territory on offer was not returned to their administration: that the tens of thousands of Greek Cypriots who would have returned to their property would not be able to do so; that Turkey's troop presence would not be reduced; and that there would be no cap on the number of Turkish mainland citizens who would come to the north and get Turkish Cypriot citizenship" (House of Lords, 26 May 2004).

As for the Greek Cypriot requirement for "functionality and workability" and that any solution must be based on international legality including universal human rights and freedoms, the following remarks suffice to demonstrate that the Annan plan was fully in line with the norms and principles of both the European Union and the United Nations. Mr. Gunther Verheugen confirmed this on 15 April 2004 in the following words: "I would like to stress that the Annan plan is in line with the fundamental principles on which the European Union is founded and that viability and economic sustainability have been strengthened. The finalized comprehensive settlement ensures that the United Cyprus Republic is able to speak with one voice in international forums and to fully participate in the European Union's decision-making process, and that the acquis is properly applied and enforced on the island" (High-Level Preparatory Donors' Conference). On the other hand, in your report on Cyprus to the Security Council dated 16 April 2004, Your Excellency also rightly reiterated that the plan "was drawn up taking full consideration of relevant United

Nations resolutions and treaties" and that it "provides for a new state of affairs that is in full accordance with the Council's vision for a settlement".

The Greek Cypriot leader also wrongly argues that the United Nations plan failed to address the serious concerns of the Greek Cypriot people regarding security and effective implementation. This allegation is also misleading, as Greek Cypriot concerns for implementation and security had been repeatedly voiced in the past with an absence of substantive warrants backing their vague complaints. The United States Ambassador to the Security Council, Mr. Cunningham, called for the Greek Cypriots "to articulate, with clarity and finality, concerns that they have indicated regarding implementation of the settlement plan and its security provisions" and continued by adding that "only when they are articulated can such concerns be addressed" (Statement to the Security Council, 11 June 2004).

Regarding the inconceivable claim by Mr. Papadopoulos that the United Nations plan "was not the product of negotiation", I can only remind him that the world witnessed the two parties in Cyprus negotiate on and off, under United Nations auspices, for the preceding four and a half years before the final version of the Annan plan was submitted for the approval of both sides. In fact, during the final stages, in addition to the United Nations officials, a considerable number of international experts were also present to assist hundreds of officials and experts from both sides to finalize the work of the technical committees. As for his implication that the end product was dictated by the interests of the third parties, I only wish to recall the following words of the Minister for European Affairs of the United Kingdom, Mr. MacShane: "Much of the finalized document is the result of the work of Greek Cypriots themselves ... I repeat that I firmly believe that the plan provides a fair, just and lasting basis on which to reunite ..." (House of Commons, 16 May 2004). In fact, because of the lack of willing cooperation by the Turkish side, the plan was an outcome of the work of the United Nations team in close cooperation with the Greek Cypriot leadership of the time.

The fact is that the comprehensive settlement plan of the United Nations did not satisfy all the demands and needs of either the Turkish Cypriot or the Greek Cypriot people. A very long list of why the plan should have been rejected also exists in the minds of all Turkish Cypriots. However, as the Turkish Cypriot side, we are well aware of the fact that a durable solution also has its price and requires a good deal of compromise. On 24 April 2004, the Turkish Cypriot people declared their will to pay the cost for a viable settlement and voted in favour of the United Nations plan. The Greek Cypriots, on the other hand, expressed their will towards no compromise and thus voted down a negotiated settlement.

Mr. Papadopoulos stresses that the verdict of the people must be respected and solemnly declares that "the accession of Cyprus to the European Union, in conjunction with the lack of an agreement" signifies the end of an era and the beginning of a new one. The results of the referendums clearly demonstrated the strong desire of the Turkish Cypriot people for a settlement based on partnership and equality, on the one hand, and the rejection, on the other, of the Greek Cypriot people entering into a power-sharing arrangement on the basis of equality with us. The separate simultaneous referendums also reconfirmed the fact that neither the Greek Cypriots nor the Turkish Cypriots represented each other. Consequently it would be an untenable claim that there is a single authority to represent the whole island, disregarding the reality that any solution in Cyprus requires the consent of

both sides. The Greek Cypriot side, over the years, based its arguments on the principle of the doctrine of necessity. However, after the referendums the Greek Cypriot side can no longer exploit the doctrine of necessity against the Turkish Cypriot since it was the Greek Cypriot leadership and, ultimately the Greek Cypriot people, which blocked a comprehensive settlement on the island, thus returning to "normal conditions".

The fact remains, therefore, that the "new era" holds a serious injustice. The Greek Cypriot side which opted for no settlement continues to enjoy the benefits of the usurped title of "Republic of Cyprus" and has become a member of the European Union, whereas the Turkish Cypriot side which voted for a peaceful reunification not only remained outside the European Union but continues to be subjected to political and economic restrictions and isolation. The question now is whether the world shall continue to close its eyes to this unjust situation and allow the Greek Cypriots who opted for no solution to continue pretending that they represent the whole island or honour the Turkish Cypriots with their vested rights to speak and act for themselves through their separate will which they have exercised towards the unification of the island. As also stressed by Your Excellency, the result of the Turkish Cypriot referendum "has undone whatever rational might have existed for pressuring and isolating" our people. The Turkish Cypriot people who have certainly done their part, expect the international community to address the unjust circumstances that they have been living in through no fault of their own and lift the restrictions on the economic, social and political development.

In this context, we welcome the efforts of the international community in accordance with Your Excellency's call "to cooperate both bilaterally and in international bodies to eliminate the unnecessary restrictions and barriers that have the effect of isolating the Turkish Cypriots and impeding their development". It is most disappointing, however, to witness that international efforts aimed at supporting the economic and social development of the Turkish Cypriot people are being seriously hampered by the Greek Cypriot administration. In fact, the policies and proposals cited by the Greek Cypriot leader as directed towards the enhancement of the economic development of Turkish Cypriots are merely designed to prevent international efforts, such as the proposals of the European Union Commission, particularly as regards direct trade and financial aid to North Cyprus, from materializing and continuing to hold the development of the Turkish Cypriot economy hostage to its political considerations. In fact while Mr. Papadopoulos claims to have directed their internal strategies towards paving the way for the economic prosperity of Turkish Cypriots, his administration has launched a major lobbying campaign in the international arena to prevent any and all kinds of contributions towards that end. It is no secret that the mounting efforts of the Greek Cypriot side vis-à-vis the European Union member States and institutions are aimed at turning the financial aid regulation into an unworkable process, on the one hand, and totally doing away with the direct trade regulation, on the other.

As the Turkish Cypriot side we have, undoubtedly, proved our firm commitment to reconciliation, as also evidenced by our recent action, including the opening of the Greek Cypriot secondary school in the Karpaz area in North Cyprus and the positive developments on the missing persons issue. It is, however, amply clear that entrusting the all-important issue of overcoming the difficulties in the way of the economic and social development of the Turkish Cypriot people with the Greek Cypriot administration can only help the Greek Cypriot leadership to further

harden the uncompromising position it displayed at the referendums. In spite of their statements to the contrary, it is evident from the actions of the Greek Cypriot leadership in the aftermath of the referendums that they have no intention of abandoning their policy of accusing others for the impasse that they have created and utilizing its consequences to do away with the established parameters of a solution which came into existence as a result of almost four decades of United Nations-sponsored negotiations. It is most striking in this context that Mr. Papadopoulos chose to call upon Turkey to help solve the Cyprus question but made no reference to the mission of the good offices of the United Nations Secretary-General. It would undoubtedly, be more meaningful if the Greek Cypriot leader called upon Your Excellency to continue your invaluable efforts if the Greek Cypriot side were sincerely ready to turn its expressed will for negotiated settlement into concrete actions. The truth of the matter is that the present Greek Cypriot policies are directed towards distorting the essence of the Cyprus issue and presenting it as merely a problem of invasion to be solved within the European Union. This misguided approach can only help further complicate the present impasse for all concerned, including the European Union.

I therefore take this opportunity to call upon the international community, once more, to take concrete steps towards ending the isolation of the Turkish Cypriot people and lifting the restrictions on their economic and social life in order to facilitate their overall development. I sincerely believe that only then shall the Greek Cypriot leadership have a real incentive to re-evaluate its position and begin to see the benefits of a mutually agreed settlement in Cyprus. I wish to stress, before I conclude, that all our efforts and actions will be directed towards preparing for the day that our counterparts shall finally be ready to share a common future on the basis of partnership and equality.

(*Signed*) Mehmet Ali **Talat**
Prime Minister

United Nations A/59/435–S/2004/818

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Fifty-ninth session
Agenda item 36
The situation in the Middle East

Security Council
Fifty-ninth year

Letter dated 14 October 2004 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit herewith a summary of Israeli violations and acts of aggression against Lebanon from 15 September to 11 October 2004 (see annex).

These grave violations are part of a series of persistent and provocative Israeli violations of Lebanese territory, including air, sea and land, and intervene against the principles of international law, the resolutions of international legitimacy, and your repeated calls for their cessation.

In view of these violations and the stepping-up of Israeli threats against Lebanon and the safety of its territory and its citizens, Lebanon calls upon the United Nations to deter and prevent Israel from such dangerous acts, which constitute a threat to international security and peace. Lebanon holds Israel fully responsible for any consequences to which those acts may lead.

In drawing your attention to the grave consequences of such acts, I request to have the present letter of complaint and its annex circulated as a document of the General Assembly, under agenda item 36, and of the Security Council.

(*Signed*) Sami **Kronfol**
Ambassador
Permanent Representative

04-55721 (E) 181004

Annex to the letter dated 14 October 2004 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

Israeli maritime violations of Security Council resolution 425 (1978)

15 September 2004

Between 0300 and 0325 hours, an Israeli gunboat in Lebanese territorial water facing Ras-Naqoura fired three flare shells, and 0645 hours fired several bursts of medium machine-gun fire on the open sea.

15 September 2004

At 1615 hours, Israeli occupation forces, positioned in Rweiset Alalam inside Chebaa farms, raked the surroundings of this position with medium machine-gun fire.

16 September 2004

At 0320 hours, an Israeli gunboat in Lebanese territorial water facing Ras-Naqoura fired a flare shell, and between 0600 and 0645 hours, fired several bursts of medium machine-gun fire on the open sea.

17 September 2004

Between 0300 and 0500 hours, an Israeli gunboat in Lebanese territorial water facing Ras-Naqoura fired three flare shells, and at 0844 hours, fired several bursts of medium machine-gun fire on the open sea.

18 September 2004

Between 2300 and 2310 hours, Israeli occupation forces, positioned in Tallet Elradar inside Chebaa farms, raked the surroundings of this position with medium machine-gun fire.

20 September 2004

At 1710 hours, an Israeli gunboat in Lebanese territorial water facing Ras-Naqoura fired several bursts of medium machine-gun fire on the open sea.

21 September 2004

At 1644 hours, Israeli occupation forces, positioned in Tallet Elradar inside Chebaa farms, raked the surroundings of this position with medium machine-gun fire.

23 September 2004

At 1710 hours, Israeli occupation forces, positioned in Rweiset Alalam inside Chebaa farms, raked the surroundings of this position with medium machine-gun fire.

23 September 2004

Between 2030 and 2215 hours, an Israeli gunboat in Lebanese territorial water facing Ras-Naqoura fired a flare shell and several bursts of medium machine-gun fire on the open sea.

24 September 2004

Between 0530 and 0600 hours, an Israeli drone plane violated Lebanese airspace at a medium altitude over Damour and left from over Naqoura towards the sea.

27 September 2004

Between 2215 and 2300 hours, Israeli warplanes violated Lebanese airspace at high altitude over Chebaa farms, Houla and Chaqra.

10 October 2004

Between 1450 and 1850 hours, an Israeli drone plane violated Lebanese airspace at a medium altitude, entered from over the sea facing Tyre, headed east and circled over Nabatieh, Saida, Damour and Naameh.

11 October 2004

Between 1030 hours and 1032 hours, two Israeli warplanes violated Lebanese airspace at different altitudes, entered from above Rmaich village and headed to Bent-Jbeil and Ainebel villages.

Between 1041 and 1132 hours, 10 Israeli warplanes violated Lebanese airspace at different altitudes as follows:

- Four warplanes entered from above Kfarchouba village. Two warplanes entered from above Rmaich village.
- Four warplanes entered from above the sea facing Jounieh Jbeil.

Six of these warplanes circled over Chekaa, Jbeil, Batroun and Elraz and headed to Baalbeck and Hermel. Four warplanes circled over Elchouf and South regions.

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Agenda item 105 (b)
Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Human rights and unilateral coercive measures

Report of the Secretary-General*

Summary

In paragraph 9 of its resolution 58/171 of 22 December 2003, the General Assembly requested the Secretary-General to bring the resolution to the attention of all Member States, to continue to collect their views and information on the implications and negative effects of unilateral coercive measures on their populations and to submit an analytical report thereon to the Assembly at its fifty-ninth session, highlighting the practical and preventive measures in that respect.

In accordance with the resolution, a note verbale was sent to all permanent missions to the United Nations on 22 June 2004, bringing the resolution to the attention of Member States and seeking their views. As of 31 August 2004, information had been received from Azerbaijan, Costa Rica, Cuba, Mexico and the Syrian Arab Republic. Any information made available to the Office of the United Nations High Commissioner for Human Rights at a later date will be submitted in an addendum to the present report.

In addition, the General Assembly will have before it the report of the Secretary-General, submitted to the sixtieth session of the Commission on Human Rights, on the same subject (E/CN.4/2004/37).

* The submission of this document was delayed because necessary information could not be obtained in time.

04-55951 (E) 221004

Information received from Member States

1. The Government of **Azerbaijan** stated that in 1988, the Armenian armed forces occupied Nagorny-Karabakh Autonomous Region of Azerbaijan. As a result of these incidents, there are now over 1 million refugees and displaced persons in Azerbaijan. This region, with its natural resources and climate, played a major role in Azerbaijan's economy. There were more than 180 enterprises in the region. Just before the occupation, some 50 branches of industrial enterprises were based in Baku and other cities. This made it possible to provide work for some 5,000 people. At the same time, the region also had diverse communications lines and facilities. Because of the occupation, Azerbaijan has lost US$ 22.2 billion.

2. If one considers that most of these people were farmers, they have lost the opportunity to receive the land and equipment that have been distributed as a result of Azerbaijan's economic reforms. In 1990, the State Committee for Refugees and Displaced Persons was established in order to improve the social status of refugees and displaced persons. Every year, the State transfers an average of US$ 100 million to the Committee in order to ensure a minimum living standard for refugees, placing an additional financial burden on Azerbaijan.

3. Air transport is the only link between the Nakhichevan Autonomous Republic and Baku and other regions of Azerbaijan. Consequently, and bearing in mind the financial situation of the State-controlled Azerbaijan Airlines (AZAL), every year US$ 10 million are transferred from the State budget to the AZAL budget in order to compensate it for losses generated by the occupation. Moreover, the long-established transport operations from Europe were conducted along traditional routes on Russian and Azerbaijani railways. Owing to the conflict, rail lines have been destroyed and the operations disrupted, depriving Azerbaijan of an important source of income.

4. As a member of the World Trade Organization, the Government of **Costa Rica** respects and implements principles governing the organization, including those relating to the recourse to unilateral economic coercive measures with extraterritorial effects. In its capacity as member of the United Nations, respectful of international law, it favours freedom of international trade and will reject any such restriction, unless imposed by the United Nations.

5. The Government of **Cuba** attaches particular importance to the consideration of this item by the General Assembly and the Commission on Human Rights, in view of the fact that millions of individuals in many developing countries, including Cuba, are the victims of unilateral coercive measures imposed on them by some developed countries, principally the United States of America.

6. The application of unilateral coercive measures as a means of political and economic compulsion is an attack on the independence, sovereignty and the right to self-determination of peoples. Experience shows that the primary victims are the most vulnerable population groups, including children, women, elderly persons and the disabled.

7. The application of unilateral coercive measures has been the key tool for 45 years of the hostile and aggressive policy of the United States of America towards Cuba in its eagerness to destroy the political, economic and social system established by the sovereign will of the Cuban people following the triumph of the

revolution. Under its aggressive policy, the United States has adopted and applied various unilateral coercive laws and measures, notably the Torricelli Act of 1992 and the Helms-Burton Act of 1996.

8. Preliminary studies indicate that the direct financial impact on Cuba exceeds US$ 79 billion — nearly 3 times Cuba's gross domestic product, approximately 18 times the value of its annual imports and nearly 8 times its external debt.

9. Ten successive United States administrations have resorted to all kinds of political, economic and military action against the people and Government of Cuba: encouraging defection and illegal emigration, espionage, economic warfare, fomenting subversion, terrorism and economic sabotage, biological warfare, supporting armed gangs, making hundreds of plans to assassinate Cuban Government leaders, mounting the military blockade, threatening it with nuclear annihilation and organizing aggression by a mercenary army.

10. On 6 May 2004, the report to the President of the "Commission for Assistance to a Free Cuba" was approved. This report includes a set of recommendations and proposals for new unilateral coercive measures and interference to expedite the overthrow of the Cuban revolution and bring about what they choose to call "regime change" in Cuba. The new anti-Cuba measures applied by the Office of Foreign Assets Control of the United States Treasury Department include acts and provisions that violate the rights of Cuban citizens living in the United States and Cuba.

11. In a further escalation against Cuban families, the Department of Commerce announced new prohibitions on sending basic essentials and personal articles, as well as veterinary medicines and supplies, fishing equipment and soap-making equipment. Preliminary studies by the Cuban Ministry of Tourism on the foreseeable impact of the restrictions show that as from 30 June 2004, date of the entry into force of the measures, the Cuban economy will suffer an annual shortfall in income from tourism of between US$ 93 and US$ 104 million, without taking into account the damage, not yet quantified, caused by action fomented by the United States authorities in third countries to deter tourism to Cuba.

12. The report of the Commission for Assistance to a Free Cuba further suggested allocating over US$ 59 million more to expanding international campaigns against Cuba, financing internal subversion and funding the mercenaries enrolled in the United States Interests Section in Havana, referred to cynically in the document as the "political opposition".

13. Another provocative measure is the allocation of US$ 18 million for broadcasts by TV and Radio Martí from a C-130 military plane devoted exclusively to the purpose, in violation of rules and regulations established by the International Telecommunication Union.

14. The Government of **Mexico** said that, States should avoid and refrain from taking unilateral measures contrary to international law that obstruct the full realization of economic, social and cultural development, as an integral part of all human rights. The right of everyone to self-determination in order to establish their political status and manage their development should likewise be protected.

15. Moreover, articles of basic necessity, such as food and medicines, must not be used as instruments of political coercion and at no time may a people be deprived of their own means of subsistence and development. Mexico rejects political or

economic sanctions that have not been decided upon by the Security Council or recommended by the General Assembly.

16. According to the Government of Mexico, the application of unilateral coercive measures is contrary to international law, a position also expressed by the Inter-American Juridical Committee in its opinion of 4 June 1996. In this connection, the country saw the entry into force on 23 October 1996 of the Act to Protect Trade and Investment from Foreign Norms that Contravene International Law, the purpose of which is to counter the extraterritorial effects of any foreign norm that infringes international law to the detriment of any State.

17. The Government of the **Syrian Arab Republic** reaffirmed that its Constitution safeguards all citizens' rights, including their economic, social and cultural rights, and citizens are regarded as having the same legal rights and obligations. They exercise their rights and enjoy their freedoms in accordance with the law.

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Fifty-ninth session
Agenda item 18
Election of judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Letter dated 14 October 2004 from the President of the Security Council to the President of the General Assembly

I have the honour to transmit the text of resolution 1567 (2004), adopted unanimously by the Security Council at its 5057th meeting, held on 14 October 2004.

Resolution 1567 (2004) reads as follows:

"*The Security Council*,

"*Recalling* its resolution 827 (1993) of 25 May 1993, 1166 (1998) of 13 May 1998, 1329 (2000) of 30 November 2000, 1411 (2002) of 17 May 2002, 1481 (2003) of 19 May 2003, 1503 (2003) of 28 August 2003 and 1534 (2004) of 26 March 2004,

"*Having considered* the nominations for Permanent Judges of the International Tribunal for the Former Yugoslavia received by the Secretary-General,

"*Forwards* the following nominations to the General Assembly in accordance with Article 13 bis (1) (d) of the Statute of the International Tribunal:

Mr. Carmel A. Agius (Malta)

Mr. Jean-Claude Antonetti (France)

Mr. Iain Bonomy (United Kingdom)

Mr. Liu Daqun (China)

Mr. Mohamed Amin El-Abbassi El Mahdi (Egypt)

Mr. Elhagi Abdulkader Emberesh (Libyan Arab Jamahiriya)

Mr. Rigoberto Espinal Irias (Honduras)

04-55906 (E) 191004

Mr. O-gon Kwon (Republic of Korea)

Mr. Theodor Meron (United States of America)

Mr. Bakone Melema Moloto (South Africa)

Ms. Prisca Matimba Nyambe (Zambia)

Mr. Alphonsus Martinus Maria Orie (Netherlands)

Mr. Kevin Horace Parker (Australia)

Mr. Fausto Pocar (Italy)

Mr. Yenyi Olungu (Democratic Republic of the Congo)

Mr. Sharada Prasad Pandit (Nepal)

Ms. Vonimbolana Rasoazanany (Madagascar)

Mr. Patrick Lipton Robinson (Jamaica)

Mr. Wolfgang Schomburg (Germany)

Mr. Mohamed Shahabuddeen (Guyana)

Ms. Christine Van den Wyngaert (Belgium)

Mr. Volodymyr A. Vassylenko (Ukraine)"

(*Signed*) Emyr **Jones Parry**
President of the Security Council